



CITY OF BELLAIRE TEXAS

PLANNING AND ZONING COMMISSION

SEPTEMBER 8, 2015

Senior Activities Room

Regular Session

6:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

I. CALL TO ORDER AND ANNOUNCEMENT OF QUORUM

Chairman Frazier called the meeting to order at 6:02 PM, and announced that a quorum was present, consisting of the following members:

Attendee Name	Title	Status	Arrived
Christopher Butler	Commissioner	Present	
Winfred Frazier	Chairman	Present	
Bill Thorogood	Commissioner	Present	
Paul Simmons	Commissioner	Present	
Marc Steinberg	Commissioner	Absent	
Dirk Stiggins	Vice Chairman	Present	
S. Lynne Skinner	Commissioner	Present	
Scott Eidman	Attorney	Present	
John McDonald	Director	Present	
Ashley Parcus	Secretary	Present	

II. APPROVAL OF MINUTES FROM PAST MEETINGS

1. Planning and Zoning Commission - Regular Session - Jul 14, 2015 6:00 PM

Commissioner Simmons made one minor correction.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Dirk Stiggins, Vice Chairman
SECONDER:	S. Lynne Skinner, Commissioner
AYES:	Butler, Frazier, Thorogood, Simmons, Stiggins, Skinner
ABSENT:	Steinberg

III. REMINDER TO CITIZENS DESIRING TO ADDRESS THE COMMISSION

Chairman Frazier mentioned that any member of the public desiring to address the Commission would need to complete a sign in sheet.

IV. GENERAL PUBLIC COMMENTS

Persons at the meeting who have indicated their desire to be heard on matters of general interest to the Commission by submitting the form provided shall have three minutes to present their comments. The Commission is not permitted to fully discuss, debate, or consider items that are not on the agenda. Questions presented to the Commission may be referred to staff.

There were no general public comments.

V. CURRENT BUSINESS (ITEMS FOR DISCUSSION, CONSIDERATION, AND/OR POSSIBLE ACTION)

1. Consideration of the Five-Year Review of the Planning and Zoning Commission's Rules of Procedure, as required by Article VI, Administration of Rules of Procedure, Section C, Review.

Chairman Frazier informed the Commission that he and Commissioner Stiggins had met as a subcommittee to review the Rules of Procedure and had several recommendations to share with the Commission. Other members also made several suggestions. The changes that were made to the document are as follows:

1. Addition of a bullet point within **Article I, Section B, Advisory Role**, to say, "To identify and explore community needs for such things as commercial re-development, city beautification projects, and other planning and development ideas that build on the goals of the Comprehensive Plan, and bring such ideas to the attention of City Council."
2. Addition of a paragraph within **Article I, Section C, Administrative Role**, to say, "The City Council has specifically delegated review and advisory authority to the Commission for Specific Use Permits (SUP), however, final approval of the SUP lies with City Council."
3. Replace the word "liaison" with the word "facilitator" within the definition of "Council Liaison."
4. Ensure that all defined terms are capitalized.
5. Addition of a paragraph under the definition of "Regular Meeting" to say, "If it should be necessary, because of the workload, that any Regular Meeting be continued to the following day, such a meeting will reconvene on the day following, and this second meeting shall be considered as part of the same session. The Planning and Zoning Commission shall state the time and location of the second meeting prior to the conclusion of the first meeting."
6. Deletion of the word "current" from the definition of "Workshop."
7. Deletion of the word "Zoning" from the end of the definition of "Zoning District."
8. Deletion of the words "the Mayor and" within the first paragraph of **Article III, Membership/Structure**.
9. Deletion of the words "the Mayor and" and the addition of "a vote of the" within the third paragraph under **Article III, Membership/Structure**.
10. A change in the format of the fourth paragraph under **Article III, Membership/Structure**, to include bullet points for the legal documents listed.
11. Deletion of the sentence reading, "If the Chair is a candidate for reelection, a temporary Chair shall preside over the election of the Chair" under **Section B, Officers of the Commission**.

The Commission also decided to look into the possibility of how/whether or not to allow residents to yield their speaking time to others.

Commissioner Thorogood suggested that staff come up with some sort of feedback

mechanisms to inform the Commissioners of successes and failures with regard to regulations/zoning changes that have been implemented by the body.

Mr. McDonald stated that he tries to do that within his staff reports that he gives to the Commission at each meeting, but is sometimes limited by the confidentiality of certain projects. He added that this is also accomplished when staff brings forward recommendations to the Commission for areas that they feel are not thriving as expected. Mr. McDonald mentioned that he does not currently have the manpower available to be able to give the Commission continuous updates on every area within the City, but would do what he could to increase the amount of information provided.

No action was taken. The Commission asked that a redline of the proposed changes to the Rules of Procedure be included in the October agenda packet for consideration during that meeting.

VI. COMMITTEE REPORTS

There were no committee reports.

VII. CORRESPONDENCE

There was no correspondence.

VIII. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS

A. Staff liaison report on the status of projects previously addressed by the commission as well as projects for future meetings.

Mr. McDonald informed the Commission that the department has been without a second inspector since January, and that Building Official Lee Cabello would be retiring at the end of September. He stated that six building permits have been issued for Alder Circle, which he believes was approved back in 2009. He also mentioned that the new H-E-B is still up in the air, but is more promising due to action taken by City Council to abandon the rights-of-way for no charge, with a vote of 6-1. Mr. McDonald explained that they are now trying to work through and finalize the tenant leases.

Commissioner Thorogood asked what the reasoning was behind Council's decision regarding the no cost transfer of the rights-of-way.

Mr. McDonald explained that it comes down to the amount of property tax improvements, as well as sales tax that the development will bring to the City. He added that the rights-of-way were dedicated by the original property owner for uses that never occurred. Mr. McDonald further explained that the abandonment is tied directly to the H-E-B, so if the project falls through the rights-of-way will revert back to the City.

Commissioner Thorogood mentioned that the idea of turning City owned property, that has no value to the City, over to entities for the benefit of development is touched on within the Comprehensive Plan.

Mr. McDonald agreed, and added that the City Manager has proposed an allowance to hire a consultant to do a study of rights-of-ways within the City to determine where they are not being utilized, or where they are being utilized illegally.

Chairman Frazier mentioned that in the past some entities have been charged for abandonments, and others have not. He asked if there should be some consistency.

Mr. McDonald explained that every situation is different, and must be individually considered.

Mr. McDonald mentioned that Bellaire High School is still at a stand still. He stated that the development team has been put on hold until the district gives them more direction. Mr. McDonald explained that they are now looking into remodeling instead of rebuilding, but are not sure where the funding would come from as the bond was specifically for rebuilding.

Mr. McDonald stated that Condit Elementary has begun construction, and completion is scheduled for Summer of 2016.

Commissioner Thorogood stated that he was surprised to see the Mandarin Chinese Language Immersion School open for the new school year.

Mr. McDonald stated that the school is under construction and will be completed next summer. He added that they will vacate the site then and will be moving to the Galleria area. Mr. McDonald informed the Commission that once the school leaves, whatever comes in its place will have to go through the SUP process again.

Commissioner Thorogood pointed out that it could also be used as residential by right, as that is how it is currently zoned.

Mr. McDonald informed the Commission that he spoke with an architect regarding a property in the UV-T that they are looking into refurbishing and reusing as a higher density than what is there now. He added that 4950 Terminal is a very popular building, but does have issues with parking.

Vice Chairman Stiggins asked what the status was on the projects located at the corner of Bissonnet and Newcastle.

Mr. McDonald explained that Bellaire Gardens, which will consist of 12 homes, has been platted and is still in the works. He added that as far as staff knows, the urgent care facility is still coming in, however, the other medical building closest to CenterPoint has been put on hold due to some medical issues of the business owner.

B. The Chairman shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New Business shall be for the limited purpose of determining whether the matter is appropriate for inclusion of a future Agenda of the Commission or for the referral to staff for investigation

Commissioner Skinner mentioned the Affirmatively Furthering Fair Housing Rule that has caused many cities to be in legal trouble, and wondered if Bellaire is in danger of the same. She asked if the City has ever received any HUD funding.

Attorney Eidman and Mr. McDonald explained that the City has never received any HUD funding, and therefore, is not impacted by the new legislation.

Commissioner Skinner mentioned that she has heard from many people recently that the response time and efficiency of the Development Services Department has greatly improved, and complimented staff on a job well done.

Chairman Frazier felt that the Commission should be more involved with the City's beautification project, and asked the other Commissioners to be thinking about suggestions on how to achieve that.

Mr. McDonald explained that he is on the City's Beautification Team, and informed the Commission that the Comprehensive Plan covers a lot of the items that the team discusses.

IX. ADJOURNMENT

Motion: a motion was made by Commissioner Skinner and seconded by Commissioner Thorogood to adjourn the Regular Meeting.

Vote: the motion passed on a unanimous vote of 6-0.

The meeting was adjourned at 8:20 PM.